

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: Philip A. Smarestsky

Debtor

Lakeview Loan Servicing, LLC, its successors and/or  
assigns

Movant

v.

Philip A. Smarestsky

Respondent

and

Ronda J. Winnecour, Trustee

Additional Respondent

BK. NO. 16-20054 CMB

CHAPTER 13

Related to Docket # 26

**ENTERED BY DEFAULT**

**ORDER MODIFYING SECTION 362 AUTOMATIC STAY**

AND NOW, this 10<sup>th</sup> day of November, 2016, at Pittsburgh, upon Motion of Lakeview Loan Servicing, LLC, its successors and/or assigns, it is

**ORDERED THAT:** The Motion for Relief from the Automatic Stay of all proceedings is granted and the Automatic Stay of all proceeding, as provided under Section 362 of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (The Code), 11 U.S.C. Section 362, is modified with respect to the subject premises located at 312 Westbrook Dr, Butler, Pa 16001 ("Property), so as to allow Movant, its successors or assignees, to proceed with its rights and remedies under the terms of the subject Mortgage and pursue its in rem State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.

  
United States Bankruptcy Judge **dmr**

FILED  
11/10/16 10:57 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

**Certificate of Notice Page 2 of 2**  
United States Bankruptcy Court  
Western District of Pennsylvania

In re:  
Philip A. Smarestsky  
Debtor

Case No. 16-20054-CMB  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dric  
Form ID: pdf900

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Nov 10, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 12, 2016.

db +Philip A. Smarestsky, 124 Whitestown Road, Lyndora, PA 16045-1158

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 12, 2016

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 10, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor Lakeview Loan Servicing, LLC agornall@goldbecklaw.com,  
bkgroup@goldbecklaw.com/bkgroup@kmlawgroup.com  
Dai Rosenblum on behalf of Debtor Philip A. Smarestsky dunmyrem@zoominternet.net,  
dailaw@earthlink.net;dailaw2@earthlink.net;pjbz@zoominternet.net;jmpl24@yahoo.com  
Joshua I. Goldman on behalf of Creditor Lakeview Loan Servicing, LLC bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5